

Snohomish County
PLANNING & DEVELOPMENT SERVICES
M/S #604

M E M O R A N D U M

TO: Snohomish County Planning Commission
Barb Mock, Planning Commission Secretary

FROM: Michael Zelinski, Principal Planner

DATE: September 5, 2014

SUBJECT: Planning Commission Briefing on September 23, 2014

RE: Proposed Future Land Use Map amendment to resolve a compliance issue regarding the “Other Land Uses” Designation on Cathcart “L” properties. A county-initiated proposal for final action in 2015 as part of the 2015 Comprehensive Plan Update.

Introduction:

The purpose of this staff report is to provide background information for this county-initiated proposal. This proposal would remove an inconsistency between the description of the “Other Land Uses” designation contained in the Future Land Use (FLU) Map section of the *General Policy Plan* and its application to the Cathcart “L” properties on the FLU Map. The county council approved this item for inclusion within the 2015 compliance package on May 14, 2014, through Amended Motion No. 14-140, but specifically requested an evaluation of possible options before proceeding. PDS conducted an evaluation of five options and reported its findings to the county council in a memorandum dated August 14, 2014 (attached to this memo as Exhibit A). This proposal resulted from that evaluation.

The planning commission will be briefed on this item at its regular meeting on September 23. Planning commissioners may pose questions to staff regarding this proposal at that briefing, or any time in advance of the public hearing to be held in October. Please direct your questions to Sally Evans, Planning Commission Clerk at sally.evans@snoco.org, or call her at 425-388-3285.

Background:

The Growth Management Act (GMA), RCW 36.70A.070, requires that the comprehensive plan be internally consistent and that all of its plan and policy elements be consistent with the Future Land Use (FLU) map. The *General Policy Plan (GPP)* is the central document of Snohomish County’s GMA Comprehensive Plan (GMACP). The Land Use Chapter of the *GPP* describes the “Other Land Uses” designation as an urban land designation – that is, applicable to lands within the urban growth

area (UGA).

However, the FLU map shows the application of this designation on rural lands. This situation occurred in 2005, when the county council approved several amendments to the FLU map as part of the county's first 10-year update of its comprehensive plan. Included in these actions was the designation of properties commonly referred to as the Cathcart "L" as "Other Land Uses." These properties are adjacent to the Southwest UGA boundary within the rural area outside of the UGA. Prior to this 2005 re-designation, these properties were designated "Rural Residential."

The memo to council (Exhibit A) contains historical and other background information regarding the "Other Land Uses" designation, the Cathcart "L" properties and surroundings, the county's properties in Cathcart, and the Cathcart policies in the *GPP*.

Snohomish County Comprehensive Plan Amendment Process:

Pursuant to RCW 36.70A.130(2) and SCC 30.73.085, with certain exceptions, the Snohomish County Council may consider proposed amendments to the GMACP no more frequently than once each year. Amendments are classified as either major or minor, with expansions of UGAs classified as major amendments. The county is currently in the midst of its GMA-required 10-year comprehensive plan update, which must be completed in 2015. This proposal is being processed along with other county-initiated comprehensive plan amendments for consideration as part of the 2015 Comprehensive Plan Update package.

Pursuant to SCC 30.74, the county council may consider comprehensive plan amendments under the county's docketing program. Under the provisions of 30.74.015(2)(b), proposed major amendments, such as capacity-expanding UGA boundary changes and others requiring full environmental analysis, may be considered as a final docket item for further processing two years after a 10-year update (i.e., in 2017). Under this scenario, any major amendments under consideration would not be adopted before 2019.

Proposed Amendments:

This amendment will remove the "Other Land Uses" designation from the Cathcart "L" lands on the FLU map and restores the 1996 Rural Residential designation. This amendment will also remove this designation from the descriptions in the FLU Map section of the Land Use chapter of the *GPP* and repeal Policy LU 5.B.6a (see page 26). These amendments are currently being assumed in the draft DEIS prepared for the 2015 Update as part of Alternatives 1 and 3. This is the specific language to be removed from the Future Land Use Map section of the Land Use chapter:

Other Land Uses. This designation includes areas within UGAs that will be studied for their potential as future residential or employment land. Subdivisions or rezones within the Other Land Uses designation will be delayed until the development potential of these areas is determined through a more detailed planning process-with appropriate urban land use designations.

Evaluation:

The following evaluation criteria are taken from SCC 30.74.060 (applicable to comprehensive plan proposals submitted by individuals during the docket process) and are used as a guide in determining

how this county-initiated proposal is consistent with other elements of the GMACP, development regulations, Countywide Planning Policies (CPPs), and the GMA. Although county-initiated comprehensive plan amendments are not required to use the docket evaluation criteria specified in Chapter 30.74 SCC, the analysis can be instructive.

Criterion “a”: The proposed amendment and any related proposals on the current final docket maintain consistency with other plan elements or development regulations. *[NOTE: GPP policies cited below are replicated in full in Appendix A of Exhibit A.]*

Yes. This map amendment would return the “L” properties to their 1996 FLU map designation and is not inconsistent with any other *GPP* provision under Goal LU 6, or with the Cathcart policy amendments adopted in 2010, or with any other comprehensive plan element or development regulation. The removal of this designation from the Cathcart “L” area would eliminate all instances of this designation and allows for the removal of this designation from the descriptions within the FLU Map section of the Land Use Chapter. The memo to council in Exhibit A satisfies the commitment made in Policy LU 5.B.6a, which allows for the concurrent removal of that policy from the *GPP*.

Criterion “b”: All applicable elements of the comprehensive plan, including but not limited to the capital plan and the transportation element, support the proposed amendment.

Yes, all applicable elements of the GMACP, including the Capital Facilities Plan and the Transportation Element, support this proposed FLU map amendment.

Criterion “c”: The proposed amendment more closely meets the goals, objectives, and policies of the comprehensive plan than the relevant existing plan or code provision.

Yes, this proposed map amendment is more consistent with the existing language in the *GPP* describing the “Other Land Uses” designation as an urban designation than the existing FLU map, which applies this designation to the “L” properties located outside of the UGA.

Criterion “d”: The proposed amendment is consistent with the countywide planning policies (CPPs). *[NOTE: CPP policies cited below are replicated in full in Appendix A of Exhibit A]*

Yes, this map amendment is consistent with the countywide planning policies related to rural land use, notably CPP DP-23, and with other CPPs.

Criterion “e”: The proposed amendment complies with the GMA.

Yes. This map amendment returns consistency between the *GPP* text and the FLU map, which is a requirement of the GMA (36.70A.070), and is not inconsistent with any other GMA provision or requirement.

Criterion “f”: New information is available that was not considered at the time the relevant comprehensive plan or development regulation was adopted that changes underlying assumptions and supports the proposed amendment.

Yes. The extensive history of the development of the Cathcart properties since 1995, as well as the economic dislocations of the “great recession” and their impacts on local finances and growth rates,

constitutes new relevant information not available at the time the “Other Land Uses” FLU map designation was applied to the “L” properties.

State Environmental Policy Act (SEPA) Action:

All SEPA requirements for this non-project action will have been satisfied by the time of council action in 2015. This relatively minor map amendment would create minimal environmental impact not requiring a full environmental analysis, and actually returns the site to the pre-2005 condition that was included within the “no action” alternative analyzed in the FEIS for the last 10-year update issued on December 13, 2005. This action is also assumed in the preliminary draft DEIS now being prepared for the 2015 Update. This DEIS will have been issued by the time of the Planning Commission briefing and the comment period will have closed by the time of the Planning Commission hearing.

Findings and Conclusions:

The following draft findings and conclusions are presented for consideration by the Planning Commission in support of a favorable recommendation to the county council. The commission can also delete, modify, or expand upon these findings and conclusions as appropriate to its recommendation.

1. The proposed amendments resolve the internal inconsistency revealed by the compliance review and identified by the county council as item 5 on Exhibit A to Amended Motion 14-140.
2. The proposed amendments are consistent with the applicable countywide planning policies for rural lands, notably DP-23.
3. The proposed amendments are consistent with the applicable policies in the *GPP* governing rural development and land use, notably the overall Goal LU 6 and Objective LU 6.B.
4. No inconsistencies between the proposed amendments and other comprehensive plan elements or development regulations have been identified.
5. The proposed amendments are consistent with *GPP* policies that address the county’s Cathcart properties and the Cathcart “L” area.
6. The proposed amendments are consistent with the various provisions and requirements of the Growth Management Act related to local comprehensive plans.
7. This action complies with the procedural requirements of the GMA and county code regarding comprehensive plan amendments.
8. All SEPA requirements for this non-project action will have been satisfied by the time of council consideration.

Summary of Consistency with Final Docket Review Criteria

Consistency with 30.74.060(2) Processing of final docket					
CRITERIA					
(a)	(b)	(c)	(d)	(e)	(f)
Y	Y	Y	Y	Y	Y

Criteria: (a) Maintains consistency among comp plan elements and regulations
(b) Comp plan elements support amendment
(c) Meets goals, objectives and policies of comp plan
(d) Consistent with countywide planning policies
(e) Complies with GMA
(f) New information supports amendment

Recommendation:

Based on the information and analysis contained in this staff report and in the memorandum to the county council attached, PDS recommends that this proposed amendment be APPROVED.

Action Requested – Recommendation to the County Council on this Proposal

The purpose of this staff report is to provide the planning commission with background information and analysis regarding this proposal in advance of a public hearing. Following the public hearing for the 2015 Update, currently scheduled for October 2014, the planning commission will be asked to make a recommendation on these and other proposed amendments that will be transmitted to the county council for review and potential final action in 2015 in conjunction with the 2015 Update amendment package.

cc: Stephen Clifton, Executive Director
Clay White, Director, Planning & Development Services
Will Hall, Legislative Analyst, Snohomish County Council

EXHIBIT A

August 14, 2014 Memo to County Council Identifying and Evaluating Compliance Options

MEMORANDUM

TO: Snohomish County Council

FROM: Clay White, Director, Planning and Development Services (PDS)
Michael Zelinski, Principal Planner

DATE: August 14, 2014

SUBJECT: Compliance Options/Other Land Uses Designation on Cathcart “L” Properties

Introduction:

The purpose of this staff report is to provide background information and to identify and evaluate action options for resolution of a comprehensive plan inconsistency associated with the “Other Land Uses” designation on the Future Land Use (FLU) map. The County Council approved this item for inclusion within the 2015 compliance package on May 14, 2014, through Amended Motion No. 14-140, but specifically requested an evaluation of possible options before proceeding.

The Growth Management Act (GMA), RCW 36.70A.070, requires that the comprehensive plan be internally consistent and that all of its plan and policy elements be consistent with the Future Land Use (FLU) map. The *General Policy Plan (GPP)* is the central document of Snohomish County’s GMA Comprehensive Plan (GMACP). The Land Use Chapter of the *GPP* describes the “Other Land Uses” designation as an urban land designation – that is, applicable to lands within the urban growth area (UGA). However, the FLU map shows the application of this designation on rural lands. This situation occurred in 2005, when the county council approved several amendments to the FLU map as part of the county’s first 10-year update of its comprehensive plan. Included in these actions was the designation of properties commonly referred to as the Cathcart “L” as “Other Land Uses.” These properties are adjacent to the Southwest UGA boundary within the rural area outside of the UGA. Prior to this 2005 re-designation, these properties were designated “Rural Residential.”

This paper presents and evaluates several options to achieve internal consistency between the language of the *GPP* and the FLU map of the GMACP by:

- amending language within the Land Use chapter; and/or
- amending Map 1 of the *GPP* – Future Land Use.

Generally, these options can be classified as short-term or long-term options. Short-term options are ones that staff believes can be taken as part of the 2015 Update. This is because they do not require extensive environmental analysis, which is already under way in support of the 2015 Update. Long-term options do require additional environmental analysis and planning work that cannot be

completed in time for the 2015 Update. The short-term options involve either changes to the *GPP* text or FLU map changes that create no significant environmental impacts. As explained later in this report, FLU map changes that create additional UGA capacity fall into the long-term option category.

The option that emerges as the best candidate for incorporating within the 2015 Update amendments is the re-designation of the Cathcart “L” properties from “Other Land Uses” to “Rural Residential” on the Future Land Use Map. The background and analysis provided in this memo documents this conclusion.

Background:

The “Other Land Uses” Designation. This FLU map designation was created in 1995 when the county’s first GMA comprehensive plan was adopted. It was intended as an interim “holding” designation for certain lands within the UGA where on-going or anticipated master planning was considered necessary to establish final land use designations. This designation is described in the Future Land Use Map section of the Land Use chapter of the *GPP*. That description states that “Subdivisions or rezones within the Other Land Uses designation will be delayed until the development potential of these areas is determined through a more detailed planning process – with appropriate urban land use designations.” This condition is also articulated in *GPP* Policy LU 2.A.6, which specifies that a UGA plan or master plan must be completed before rezones or subdivisions within this designation can be approved. This policy has never been implemented through a development regulation, and is proposed for repeal as part of the 2015 Update.

In 1995, the Future Land Use map showed a number of unincorporated urban areas with the “Other Land Uses” designation. For the most part, those sites either had environmentally sensitive features or other characteristics that merited further study and evaluation before a final land use designation was deemed appropriate. Over the years this designation was removed from many areas as UGA-level plans or other site studies were completed, or critical area regulations were adopted. With the 10-year Update amendments adopted in 2005 all of the remaining “Other Land Uses” sites were changed to regular urban land use designations. However, at this same time the county council, wishing to acknowledge the special circumstances of the “L” properties (described below) and the need for master planning of the county’s Cathcart properties, applied this designation to this site. Since 2006 the Cathcart “L” has been the only site in the county with the “Other Land Uses” designation.

The Cathcart “L” Properties. The Cathcart “L” consists of a contiguous group of properties located south of Lowell-Larimer Road, east of the Urban Growth Boundary and west of State Route 9. These properties comprise a total area of approximately 160 acres and have the general shape of an inverted, upside-down “L.” The attached map in Appendix B shows the area in question and its immediate surroundings, including parcels, major roads, and FLU Map designations. The predominant land use of the Cathcart “L” is rural residential.

The north portion of this area consists of 21 parcels comprising about 46 total acres taking access primarily from Lowell-Larimer Rd. Except for two small parcels just south of the SR9/Lowell-Larimer Rd. intersection, all of these parcels contain a single-family residence. The south portion consists of 23 parcels comprising about 114 acres taking access primarily from State Route 9. Only four of these parcels do not contain homes. Those four parcels comprise an area of approximately 42

acres and are presently undeveloped.

These properties are part of a large area once known as the Cathcart-Maltby-Clearview (or CMC) area. Following a lengthy planning process during the 1980s, a subarea plan was adopted for the CMC area. Under that plan, a large part of the area, including the “L,” was designated and zoned “Suburban Agriculture,” which permitted rural residential lots of 1 acre. In 1990 many of these properties, including the “L,” received interim rezones (which subsequently became permanent) to “Rural Conservation.” This action increased the required minimum lot size to 2.3 acres. When the county adopted its first GMACP in 1995, that plan applied the “Rural Conservation” designation to the “L” properties and continued the corresponding RC zoning.

Under the GMA, a local comprehensive plan can be appealed to the Growth Management Hearings Board (GMHB), and a number of parties filed challenges to the county’s 1995 plan. Following a ruling by the GMHB that the county’s plan needed some adjustments to be fully compliant with the GMA, the county adopted a number of changes to its rural land use designations and zoning. As a result of those actions, in 1996 the “L” properties were re-designated “Rural Residential” and rezoned to R-5, which requires a minimum lot size of 5 acres. The R-5 zoning remains today, although the “Other Land Uses” designation was applied in 2005.

Surrounding Lands. The lands surrounding the Cathcart “L” currently have land uses, FLU map designations and zoning as follows:

North (across Lowell-Larimer Rd.): agricultural lands with a FLU map designation of Riverway Commercial Farmland and A-10 (Agriculture/10 acre) zoning.

East (across SR9): lands in rural residential use with a FLU Map Designation of Rural Residential (1 DU/5 acres, Basic) and R-5 (Rural/5-acre) zoning.

South: the county’s road/fleet maintenance facility on urban land with an Urban Industrial FLU Map Designation and LI (Light Industrial) zoning.

West: the county’s closed Cathcart landfill (south), and undeveloped land, rural residential, and urban low-density single-family subdivision (north). The FLU Map Designations are Urban Industrial (south), and Urban Low Density Residential (north) and the zoning is LI (Light Industrial) (south), and R-7200 and RC (Rural Conservation) (north).

[See the map in Appendix B.]

County Properties at Cathcart. Snohomish County has conducted solid waste disposal operations at Cathcart for many years. In the late 1960’s the county purchased 200 acres immediately south and east of the “L” for a new sanitary landfill. The Cathcart Landfill operations began in the early 1970’s on the central portion of the site and continued until the facility’s capacity was reached in 1992. In the mid-1980’s the county began planning for expanded landfill capacity at Cathcart and acquired 440 acres of land immediately west of the original Cathcart Landfill. A portion of the site was prepared in the late 1980’s for what was termed the new “Regional Landfill.” Other options for solid waste disposal were also being explored at this time, including the “export” of the county’s waste by rail to a large landfill in eastern Washington. This export option was eventually chosen and the regional landfill site was never opened.

As required by the GMA, the county’s first GMACP included the delineation of urban growth areas (UGAs). These UGAs surrounded all of the county’s cities and also included nearby unincorporated

lands. After three years of public discussion and debate about the appropriate location for the UGA boundaries, a single large area was delineated to encompass the nine cities in the southwest county area. Also included in this UGA were nearby unincorporated lands with prior urban or suburban land use designations, existing urban or suburban land uses or urban development potential. The northeast boundary of what is now referred to as the Southwest UGA was placed at the eastern property line of the county's Cathcart properties. A major consideration in that decision was the presence of a leachate line draining the closed Cathcart Landfill into the Silver Lake Water District's sanitary sewer system, and the general availability of that sanitary sewer system to the Cathcart properties. Under the GMA, the availability of sanitary sewer service is a key determinant in the location of urban growth and development, and sanitary sewers are generally prohibited outside of UGAs.

Since 1995, a number of other governmental facilities have been constructed on the county's original Cathcart lands. The eastward extension of 132nd St. SW to SR9 was completed in 2002. This new road, called Cathcart Way, separated the southwest 80 acres of the abandoned regional landfill site from the remainder of the property. The county has developed this site into the Willis Tucker Regional Park. In 2004, the county sold 65 acres north of Cathcart Way at the west side of the property to the Snohomish School District for the construction of two schools. Glacier Peak High School and Little Cedars Elementary School now occupy this site. In 2008, the county completed its new road and fleet maintenance facility on the southeast portion of the original 200-acre Cathcart Landfill property, immediately south of the "L" properties. The county also operates a solid waste recycling facility and a shooting range at Cathcart. Approximately 250 acres of the county's Cathcart properties remains undeveloped. This includes 59 acres of environmentally sensitive land located to the west of the old landfill and secured as open space through Conservation Futures funding in 2010.

Cathcart Policies in the GPP. In 2005, Snohomish County adopted a series of map and text amendments that constituted the GMA-required 10-year update of the comprehensive plan. Among these amendments were the re-designation of the "L" properties to "Other Land Uses" and the addition of new Policy LU 5.B.6 to the GPP. This policy articulated a county intent to perform master planning for the Cathcart site. County Council re-affirmed this intention in 2006 through its Motion 06-006 which recognized the connection between land development on the county properties and land use impacts and policy on the "L" properties.

In 2007, the county engaged a consultant team to prepare a master plan for the Cathcart properties. The scope of work also provided for a detailed environmental analysis that would have included an analysis of impacts and potential land use alternatives for the "L" properties. Unfortunately, the county decided to terminate this contract in 2008 due to the recession.

During 2008-09 the county conducted a public visioning process for the Cathcart site referred to as the "Sustainable Cathcart" vision. This vision was endorsed by county council through its Motion 10-016 and through a series of map and text amendments adopted in 2010 by Amended Ordinance 10-042. The map amendments refined the land use and zoning on the county Cathcart properties. The objective was twofold: 1) to better recognize environmentally sensitive areas; and 2) to reflect the vision of a mixed-use urban village with medium and higher density housing and lower-intensity business uses. Policy LU 5.B.6 was also expanded to articulate this vision and to refine and re-affirm the commitment to eventually assess the impact of the development of the Cathcart site on the "L" properties.

A number of GPP policies and objectives were also added in 2010 to articulate the Cathcart vision:

Objective LU 2.E and Policy LU 2.E.1, Policy LU 3.C.6, Policies LU 3.G.10 and 11, Policy LU 4.B.4, Policy LU 5.A.12, Policy LU 10.B.10, narrative text in the FLU Map section of the Land Use chapter describing a new “Overlapping Designations” feature, Policy HO 1.B.5, Policy TR 2.B.5, Policies TR 4.A.4, 5 and 6, Policy CF 1.B.4, and Policies NE 10.B.10 and 11. These are repeated in full in Appendix A.

Snohomish County Comprehensive Plan Amendment Process:

In addition to the action options described and evaluated in this report, there are also two process scenarios to be considered. A county-initiated comprehensive plan amendment is governed by Chapter 30.73 SCC and requires the county to bear the cost of any required environmental analysis. A citizen-initiated comprehensive plan amendment is governed by Chapter 30.74 SCC and requires the proponent to follow the code specifications for the docketing procedure, including the assumption of environmental review costs.

Pursuant to RCW 36.70A.130(2) and SCC 30.73.085, with certain exceptions, the Snohomish County Council may consider proposed amendments to the GMACP no more frequently than once each year. Amendments are classified as either major or minor, with expansions of UGAs classified as major amendments. The county is currently in the midst of its GMA-required 10-year comprehensive plan update, which must be completed in 2015. Major comprehensive plan amendments can be considered as part of the 10-year update, but the deadline for submitting such docket requests was October, 2012. This early deadline is necessary to ensure that such amendments are incorporated into the overall SEPA analysis required to support the 2015 Update amendments. The County Council set this docket on July 17, 2013, with the approval of Motion 13-138.

Pursuant to SCC 30.74, the County Council may consider comprehensive plan amendments under the county’s docketing program. Under the provisions of 30.74.015(2)(b), proposed major amendments, such as capacity-expanding UGA boundary changes and others requiring full environmental analysis, may be considered for further processing two years after a 10-year update (i.e., in 2017). Under this scenario, any major amendments under consideration would not be adopted before 2019.

Options for Addressing the Comprehensive Plan Inconsistency:

A number of action options and sub-options exist for correcting the “Other Land Uses” inconsistency. The higher level options involve either changes to the *GPP* text, changes to the FLU map, or both. As mentioned above, these options fall into two categories – short-term and long-term. In order of their complexity and possible environmental impacts, the options or option categories considered herein are as follows:

Short-term Options:

- **OPTION A (Text Change Only):** Modify the description of “Other Land Uses” in the *GPP* to allow its use in the rural area as well as in the urban area. This could involve the re-labeling of the existing “Other Land Use” designation to “Other Urban Land Use” and the creation of a parallel “Other Rural Land Use” designation under the broader “Rural Plan Designations” category, or comparable text amendment. No change to the FLU Map.
- **OPTION B (Remove “Other”):** Remove the “Other Land Uses” designation from the Cathcart

“L” lands on the FLU Map and restore the 1996 Rural Residential designation. No change to the *GPP* description or the zoning. [NOTE: this option is currently being assumed in the Future Land Use map as described in the draft DEIS as part of Alternative 1. Also assumed in the DEIS is the removal of this designation from the *GPP* descriptions in the FLU Map section of the Land Use chapter, as well as the repeal of Policy LU 2.B.6]

Long-term Options

- **OPTION C (UGA+ Other):** Expand the UGA to include the “L” properties, but retain the “Other Land Uses” designation on the Cathcart “L.” Defer the decision on final urban land use designation(s) until such time as a development master plan and environmental impact statement are completed for the county’s Cathcart West property. No change to the *GPP* description or the zoning. [Note: this option is inconsistent with the current direction in the preparation of the DEIS, which assumes the removal of this designation from the *GPP*.]
- **OPTION D (Mixed Rural):** Remove the “Other Land Uses” designation from the Cathcart “L” lands on the FLU Map and replace it with a mix of rural residential and industrial designations and partial rezones to RI and/or RB. [NOTE: Options B and C could also include the application of the Rural/Urban Transition Area (R/UTA) overlay, as a long-term action, and/or the rezone of up to 5 usable acres as Rural Business, if the conditions in the *GPP* and county code could be met. The challenges of meeting these conditions are addressed in the evaluation below.]
- **OPTION E (Mixed Urban):** Remove the “Other Land Uses” designation from the Cathcart “L” lands on the FLU Map, expand the UGA to include part or all of the “L” properties and replace with a mix of urban designations, and change zoning accordingly.

Evaluation of Options:

The following evaluation criteria are taken from SCC 30.74.060 (applicable to comprehensive plan proposals submitted by individuals during the docket process) and are used as a guide in determining how this county-initiated proposal is consistent with other elements of the GMACP, development regulations, Countywide Planning Policies (CPPs), and the GMA. Although county-initiated comprehensive plan amendments are not required to use the docket evaluation criteria specified in Chapter 30.74 SCC, the analysis can be instructive.

Criterion “a”: The proposed amendment and any related proposals on the current final docket maintain consistency with other plan elements or development regulations. *[NOTE: policies cited below are replicated in full in Appendix A. Some of these policies are proposed for relatively minor re-wording in the 2015 Update, but none of the amendments would create real policy change.]*

Option A: Yes. Expanding the applicability of the “Other Land Uses” designation to rural (Text only) areas is not inconsistent with any other *GPP* provision under Goal LU 6, or any other comprehensive plan element or development regulation.

- Option B: (Remove Other) Yes. This map amendment would return the “L” properties to their 1996 FLU map designation and is not inconsistent with any other *GPP* provision under Goal LU 6, or with the Cathcart policy amendments adopted in 2010, or with any other comprehensive plan element or development regulation. The R/UTA overlay was not previously applied to the “L” properties, but currently applies to a number of properties adjacent to and/or in close proximity to the Southwest UGA boundary. The application of the overlay would be consistent with Objective LU 1.B and its supporting policies regarding the R/UTA. It is not inconsistent with any other *GPP* provision under Goal LU 6, or with the Cathcart policy amendments adopted in 2010, or with any other comprehensive plan element or development regulation.
- Option C: (UGA + Other) Yes. This map amendment would re-establish consistency between the (current) description of the “Other Land Uses” designation in the *GPP* and its use on the FLU map. It is consistent with Policy LU 1.C.5 permitting limited UGA expansions as part of a 10-year update when implementing zoning is deferred.
- Option D: (Mixed Rural) No. The Rural Industrial designation is governed by LU Objective LU 6.G and the seven policies of that objective. In particular, the language of policies 6.G.1 and 2 indicate that the rural industrial designation is intended for rural sites that were previously zoned or developed for industrial use, and neither condition applies to any portion of the Cathcart “L.” Policy LU 6.G.6(a) also requires that site conditions be adequate to support intense resource-based industrial production without significant adverse environmental impacts. While the adjoining urban uses to the south and west are compatible with this land use, the site conditions are not ideal for it. In particular the topography would require substantial site grading to accommodate any industrial installation.

Access off of SR 9 is also a major issue and would be challenging for truck traffic and potentially hazardous for other traffic on this road. This is both because of the local topography, which includes a fairly steep bluff along much of SR9, as well as the nature of SR9 as a major thoroughfare operating at higher speeds. It may also not be possible to engineer a traffic solution without conflicting with the Policy LU 6.G.6(d) prohibition against long access roads. In addition, LU6.G.6(c) limits the net usable area of any rural industrial site to 20 acres, which would limit the use of this designation to the southernmost 4-6 parcels of the “L.”

While these challenges could be mitigated by good engineering and substantial investment in on-site and off-site improvements, such engineering and environmental analysis would be needed in advance of a designation decision. They would also require approval by WSDOT which, recent discussions with WSDOT staff suggest, may be difficult to secure.

In 2005, Public Works staff presented to the council and to the property owners a conceptual road plan to provide access to the “L” properties when left-turn access to SR9 is no longer possible. It involves one access point off SR9 and another off Lowell-Larimer Road but the configuration may be challenging for truck traffic.

It should be noted that the county received a docket application in 2007 proposing a Rural Industrial designation on a 1-acre site located on SR9 about 2 miles south of

Cathcart [county File # 07-114110-DA.] The staff report concluded that the proposal did not meet three of the evaluation criteria in SCC 30.74.030 and county council removed it from further consideration

The Rural Business zone is governed by Objective LU 6.E and the eight policies of that objective. In particular, the locational criteria of Policy LU 6.E.7 cannot be met by an RB rezone within the Cathcart “L.” Criterion (a) requires that at least 600 dwellings be located within a 2.5 mile radius of the site. While numerically that number can be reached, most of those units are within the UGA. The purpose and intent of the RB zone is stated at 30.21.025(2)(d) SCC as follows: “Rural Business (RB). The intent and function of the Rural Business zone is to permit the location of small-scale commercial retail businesses and personal services which serve a limited service area and rural population outside established UGAs....” It is doubtful that the 600 dwelling threshold could be met without including units within the Southwest and Snohomish UGAs.

Criterion (c) requires a minimum separation of 2.5 miles between rural commercial uses/zones, but the Cathcart “L” site is less than one mile from the Clearview Commercial Zone. Criterion (d) limits the net usable area at any location to 5 acres, which would limit this option to a maximum of two parcels.

Option E: No. This category of map amendment would create a substantial increase in residential (population-holding) and/or non-residential (employment-holding) land capacity, and is subject to the conditions and criteria specified in the 15 policies supporting *GPP* Objective LU 1.A. Specifically, Policy LU 1.A.1 requires that the residential capacity of the county’s UGAs not exceed the projected population growth by more than 15%. The most recent Buildable Lands Report (2012) indicates that the existing Southwest UGA contains adequate capacity to accommodate the projected 2025 population. Policies LU 1.A.4 and LU 1.A.11 require that infrastructure be evaluated and have adequate capacity. As detailed above for Option D and below under criterion b, the “L” has several infrastructure challenges that must be met. In addition, Policy LU 1.A.10 requires consistency with the even more detailed conditions and criteria contained in the CPPs, with which this amendment is also not consistent (see criterion “d” below).

Criterion “b”: All applicable elements of the comprehensive plan, including but not limited to the capital plan and the transportation element, support the proposed amendment.

Option A: Yes, all applicable elements of the GMACP, including the Capital Facilities Plan (Text Only) and the Transportation Element, support this proposed *GPP* text amendment.

Option B: Yes, all applicable elements of the GMACP, including the Capital Facilities Plan (Remove Other) and the Transportation Element, support this proposed FLU map amendment.

Option C: No. Although the final land use designations are not yet selected under this option, (UGA + Other) the ultimate urban disposition of this land implicit in this FLU map change is not anticipated in the other elements of the GMACP, including the Capital Facilities Plan and the Transportation Element.

Option D: No. It is likely that improvements would be needed along SR 9 to accommodate truck acceleration/deceleration and/or increased access traffic created by a business use – improvements which are not included in either the state’s improvement plan for this road, nor in the county’s Transportation Element.

Option E: No. Neither the Capital Facilities Plan (CFP) nor the Transportation Element (TE) support an urban re-designation of the “L” at this time. Some of the major urban service challenges at this location are described below.

Public water supply and sanitary sewer are key components of urban infrastructure required to serve urban development. The Cathcart “L” properties are served by the Cross Valley Water District. Potable water is available through existing mains in Lowell-Larimer Rd. and SR9 operated by the district. The district is also authorized to provide sanitary sewer service, and it does so within the Maltby industrial area defined by its own urban growth boundary. However, there are no Cross Valley sanitary sewers within the rural areas of its service area.

Sanitary sewer and public water supply is available to the urban growth area properties located immediately west of the Cathcart “L” from the Silver Lake Water and Sewer District. These properties are within the study area for the district’s latest comprehensive sewer plan. The district is divided into several service areas. The UGA boundary is co-terminus with the eastern limits of the district boundary. The 2011 Comprehensive Sewer Plan for the district defines a study area that extends to SR 9, thereby including the Cathcart “L” properties. Within this plan the eastern service area is referred to as “New Sector 7.” If eventually added to the UGA and the sewer district, the Cathcart “L” properties would become a part of this service area.

The district has interlocal agreements with Cross Valley to provide sewer service to certain properties within the Cross Valley District that are not practical for it to serve. Although the Cathcart “L” properties are not currently within the defined areas covered by these agreements, they could be added in the future, with the concurrence of both districts.

An 8” sewer currently serving the Cathcart Maintenance Facility is the closest connection point for the southern properties in the “L.” However, the slope of the land would require one or more new connections to be constructed to serve the central and northern properties of the “L.” The current comprehensive sewer system plan indicates that additional capacity improvements to the conveyance system may also be needed for the district to serve the area with sanitary sewer.

As discussed above under criterion (a), vehicular access and traffic are also significant issues. The Washington State Department of Transportation (WSDOT) has prepared a corridor plan for SR 9 through Snohomish County. Completed in 2011, this plan does not appear to anticipate the conversion of the Cathcart “L” properties to urban development, and the access issues and additional traffic volumes that conversion would generate. Recent discussions with WSDOT staff indicate the state’s intent to improve this segment of SR9 to four lanes, but to install a barrier median between northbound and southbound lanes that would restrict access to the Cathcart “L” properties by northbound traffic.

Criterion “c”: The proposed amendment more closely meets the goals, objectives, and policies of the comprehensive plan than the relevant existing plan or code provision.

- Option A: (Text Only) No. Expanding the applicability of the “Other Land Uses” designation to rural areas is neither more nor less supportive of the goals objectives or policies of the comprehensive plan than the existing provision limiting its applicability to the urban area.
- Option B: (Remove Other) Yes, this proposed map amendment is more consistent with the existing language in the *GPP* describing the “Other Land Uses” designation as an urban designation than the existing FLU map, which applies this designation to the “L” properties located outside of the UGA. In addition, the application of the R/UTA overlay, if chosen, would recognize that this land may have future potential to accommodate urban development. Necessary conditions that the demand for employment and/or residential capacity would warrant an expansion of the Southwest UGA and that urban infrastructure can be made available would be needed in the future to realize that potential.
- Option C: (UGA + Other) Yes, this proposed map amendment is more consistent with the existing language in the *GPP* describing the “Other Land Uses” designation as an urban designation than the existing FLU map, which applies this designation to the “L” properties located outside of the UGA.
- Option D: (Mixed Rural) No. Several policy conflicts noted above under criterion “a” would be created by the Rural Industrial designation and/or the Rural Business zone.
- Option E: (Mixed Urban) No. Several policy conflicts noted above under criterion “a” would be created by any mix of Urban Residential and Non-residential designations.

Criterion “d”: The proposed amendment is consistent with the countywide planning policies (CPPs). [NOTE: CPP policies cited below are replicated in full in Appendix A]

- Option A: (Text Only) Yes. Expanding the applicability of the “Other Land Uses” designation to rural areas is consistent with the countywide planning policies related to rural land use, and with other CPPs.
- Option B: (Remove Other) Yes, this map amendment is consistent with the countywide planning policies related to rural land use, and with other CPPs.
- Option C: (UGA + Other) No. Although this map amendment would create a more identifiable physical UGA boundary at SR 9 than the current boundary, consistent with CPP DP-1(e), because it involves a UGA boundary expansion and would create a small short-term net increase in residential land capacity, it is inconsistent with CPP DP-2 which establishes detailed criteria and conditions for UGA expansions.
- Option D: (Mixed Rural) No. An RB rezone would not be consistent with CPP Policies DP-23 and DP-28. In particular, a commercial business at this location would likely serve a predominantly urban population in conflict with DP-28(b).

CPP Policies DP-23 and DP-28 would generally discourage a Rural Industrial designation adjacent to a UGA boundary. While there have been a few past examples of such designations in the county, they were created in recognition of pre-existing land uses or zoning. There may be enough flexibility in this policy language to accommodate isolated exceptions. The situation with the Cathcart “L” might be considered sufficiently unique to justify an exception if only the Rural Industrial designation were applied over the southernmost parcels.

Option E: (Mixed Urban) No. A UGA expansion that creates additional population and/or employment capacity is not consistent with CPP DP-2 which establishes specific and detailed criteria and conditions for such expansions. In particular, a need for the additional population and/or employment capacity must be established and documented. The most recent analysis is documented in the 2012 Buildable Lands Report (BLR). The 2012 BLR reports that the estimated population of the Southwest UGA in 2012 had not yet reached 50% of the existing 2005-2025 additional population capacity, which is the minimum threshold established by CPP DP-2.d.3 for consideration of a UGA expansion. A special analysis would be required to update the 2012 BLR findings to assess the projected future capacity of the Southwest UGA to accommodate the 2035 population target. Furthermore, criterion “c” under this CPP requires the support of affected cities. The city of Mill Creek is the closest city to the “L,” and it has not provided any evidence of support for this expansion.

Criterion “e”: The proposed amendment complies with the GMA.

Option A: (Text Only) Yes. This text amendment is not inconsistent with any provision or requirement of the GMA.

Option B: (Remove Other) Yes. This map amendment returns consistency between the GPP text and the FLU map, which is a requirement of the GMA (36.70A.070), and is not inconsistent with any other GMA provision or requirement.

Option C: (UGA + Other) No. This map amendment does restore consistency between the *GPP* text and the FLU map, which is a requirement of the GMA (36.70A.070). However, while this action would only create minor additional urban population holding capacity associated with its existing rural residential zoning, it is not consistent with CPP DP-2. That policy articulates the GMA requirement of RCW 36.70A.110 that a UGA expansion is only justified when there is insufficient residential or employment capacity to accommodate projected growth. The findings of the 2012 Buildable Lands Report do not support such a conclusion. It would also create an inconsistency between an urban land use designation and rural zoning.

Option D: (Mixed Rural) No. The language at RCW 30.76A(5) provides direction concerning the required rural element of a county comprehensive plan. The various provisions of this section of the GMA represent a somewhat gray area of the law. While the language in (5)(b) clearly provides for some non-residential uses in the rural areas, other language tends to limit that allowance to pre-existing (pre-GMA) uses. In particular, the language at 30.76A(5)(d)(iv) states: “A county shall adopt measures to minimize and contain the existing areas or uses of more intensive rural development, as appropriate, authorized

under this subsection.” This language suggests that such areas should be minimized and should only address *existing* non-residential areas or uses. This language addresses pre-existing intensely-developed rural areas commonly referred to as “LAMIRDS,” but the language at (c)(i)(A) suggests that this limitation should apply to any commercial or industrial site in the rural area. In addition, an RB rezone (if used) would not be consistent with the GMA because it violates CPP Policies DP-23 and DP-28. It is also inconsistent with GMA Goals 1 and 2 (at RCW 30.76A.040) because a commercial business at this location would likely serve a predominantly urban population.

Option E: No. RCW 36.70A.110 provides direction on the location of UGAs and sub-paragraph (3) specifies that “Urban growth should be located first in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development...” The infrastructure challenges noted above under criterion “b” represent a GMA defect under this provision of the law. In addition, the failure to meet CPPs DP-23 and DP-28 noted above under criterion “d” also represents a failure to meet RCW 36.70A.210 requiring comprehensive plan consistency with countywide planning policies.

Criterion “f”: New information is available that was not considered at the time the relevant comprehensive plan or development regulation was adopted that changes underlying assumptions and supports the proposed amendment.

All

Options: Yes. The extensive history of the development of the Cathcart properties since 1995, as well as the economic dislocations of the “great recession” and their impacts on local finances and growth rates, constitutes new relevant information not available at the time the “Other Land Uses” FLU map designation was applied to the “L” properties.

State Environmental Policy Act (SEPA) Action:

The various options described and evaluated above have a broad range of potential environmental impacts and, consequently, a range of SEPA requirements they must fulfill. These varying requirements come with different timelines which serve to classify the options as viable in the short term or only in the longer term. The specific requirements for each option are described below.

Option A: This relatively minor text amendment would create minimal environmental impact (Text Only) not requiring a full environmental analysis. Therefore, it could reasonably be accommodated within the scope of the environmental review already being conducted for the 2015 Update, thereby qualifying as a short-term option.

Option B: This relatively minor map amendment would create minimal environmental impact (Remove Other) not requiring a full environmental analysis, and actually returns the site to the pre-2005 condition that was included in the “no action” alternative in the EIS for the last 10-year update. This option is already presumed in the preliminary draft DEIS now being prepared for the 2015 Update, thereby qualifying as a short-term option. If chosen, the application of the R/UTA overlay has only minor deferred environmental impacts because of potential effects on rural cluster subdivision modifications following future addition to the UGA. Therefore, it could reasonably be accommodated within the

scope of the existing environmental review being conducted for the 2015 Update, thereby qualifying as a short-term option.

- Option C: (UGA + Other) This map amendment involves the expansion of a UGA boundary, which generates significant environmental impacts requiring full environmental analysis. Although retaining the “Other Land Uses” designation might reduce the immediate environmental impacts of this action, a full environmental analysis would still be required by the nature of this map change. Therefore, this amendment could not reasonably be accommodated within the scope of the environmental review now being conducted for the 2015 Update, and thereby qualifies as a long-term option.
- Option D: (Mixed Rural) The traffic impacts on SR 9, and potentially other environmental impacts of the non-residential designations associated with these options are potentially significant. They require more detailed environmental analysis that, because of the required time to complete, cannot be incorporated into the environmental review for the 2015 Update, which is already in a fairly advanced state. Therefore, these options must be considered long-term options that could not be considered until after completion of the 2015 Update process.
- Option E: (Mixed Urban) A change from rural to urban land use designations would create significantly expanded development potential with corresponding significant impacts on traffic on SR9 and other area roads, as well as additional demands on other components of urban infrastructure and impacts on several elements of the natural environment. These impacts require a full environmental analysis that, because of the required time to complete, cannot be incorporated into the environmental review for the 2015 Update, which is already fairly far advanced.

In conclusion, options C, D and E must be considered long-term options that could not be considered until after completion of the 2015 Update process. Under the provisions of 30.74.015(2)(b) SCC, proposed major amendments, such as capacity-expanding UGA boundary changes and others requiring full environmental analysis, may be considered for further processing 2 years after a 10-year update (i.e., in 2017). In this scenario, any major amendments under consideration would not be adopted before 2019.

Summary of Consistency with Final Docket Review Criteria

Consistency with 30.74.060(2) Processing of final docket						
OPTION	CRITERIA					
	(a)	(b)	(c)	(d)	(e)	(f)
A (Text Only)	Y	Y	N	Y	Y	Y
B (Remove Other)	Y	Y	Y	Y	Y	Y
C (UGA+Other)	Y	N	Y	N	N	Y
D (Mixed Rural)	N	N	N	N	N	Y
E (Mixed Urban)	N	N	N	N	N	Y

Criteria: (a) Maintains consistency among comp plan elements and regulations

(b) Comp plan elements support amendment

(c) Meets goals, objectives and policies of comp plan

(d) Consistent with countywide planning policies

(e) Complies with GMA

(f) New information supports amendment

Conclusion:

Based on the information and analysis contained in this staff report, PDS will forward the analysis of Option B to Planning Commission for public review and a commission recommendation. This will be processed as a county-initiated comprehensive plan amendment within the compliance package for final disposition as part of the 2015 Update. County council may wish to consider additional long term actions as part of a future annual comprehensive plan amendment process.

cc: Stephen Clifton, Executive Director
Barb Mock, PAT Division Manager, Planning & Development Services
Will Hall, Legislative Analyst, Snohomish County Council

APPENDIX A
(COMPLETE TEXT OF GPP AND CPP POLICIES
CITED IN THIS MEMO)

GPP OBJECTIVES AND POLICIES

Cathcart-specific Objectives and Policies added in 2010

Objective LU 2.E **Provide for reasonable flexibility in land use regulation and planned mixing of uses, where appropriate, while maintaining adequate protection for existing neighborhoods.**

LU Policies 2.E.1 Land use designations on the Future Land Use Map are used to indicate general locations of land uses by broad categories, such as residential, commercial and industrial. In limited situations within UGAs, it may be appropriate to designate certain areas with two overlapping designations. The following criteria shall be used in evaluating the suitability of any proposal that includes overlapping FLU Map designations. All criteria must be met before any proposal for FLU Map amendment that includes overlapping designations may be approved.

- (a) The proposal involves property or aggregated properties under unified development control that is likely to develop or redevelop over an extended period (five years or more) comprising at least 50 contiguous acres. The area of overlapping designations must cover no more than 50% of the proposal area (50 contiguous acres or more).
- (b) The public facilities necessary to support development from any of the implementing zones for either of the proposed overlapping designations are in place, planned, or proposed by the applicant as part of the proposal.
- (c) At least 75% of the perimeter of the area proposed for overlapping designations, whether on-site or off-site of the overall proposal, is bounded by lands having – or proposed for - the same land use designations as those in the proposed overlapping designation area (i.e., the area of overlapping designation occurs along the boundary of the two overlapping designations). And
- (d) The proposal and site exhibit a comparable situation where both of the proposed overlapping designations would be individually compatible with the surrounding land use designations and neighborhood character.

...

- 3.C.6 The urban village at the county Cathcart site will be developed with principles of sustainability and “green” building design to serve as a vibrant community focal point for the surrounding neighborhoods in the northeast areas of the Southwest UGA. Neighborhood-serving businesses and service providers – including public services such as library and postal service - will be especially encouraged to locate at the village.
...
- 3.G.10 The county shall pursue lease, purchase and/or development agreements with all development partners at the county Cathcart site to support that county objectives for the site, generally, and the urban village in particular, are achieved.
- 3.G.11 The county shall explore potential incentives for small to medium-sized businesses that commit to employing local residents to locate at the county Cathcart site as a means to reduce commute trips and strengthen the local economy.
...
- 4.B.4 The county shall encourage high-quality architectural and landscape design that features northwest materials and forms for all new development at the county Cathcart site. This will be accomplished through a) the creation of building and site design standards and/or guidelines addressing both residential and commercial development, and b) their enforcement through design review processes specified within the lease and purchase agreements with all development partners at the site. Principles of sustainability and “green” building as set forth in Leadership in Energy and Environmental Design (LEED) certification will be included within these standards/guidelines.
...
- 5.A.12 Urban and site design features will be employed at the county Cathcart site to encourage and promote access to the urban village via transit, bicycle and walking, as well as the automobile, and to enhance the village’s function as a neighborhood gathering place.
...
- 10.B.10 The county shall preserve environmentally sensitive areas of the county Cathcart site in accordance with the adopted “Critical Areas Regulations.” The county will also enhance, as appropriate, and promote sensitive areas as site amenities to potential developer-partners, residents and business tenants at the Cathcart site.

**Housing
Policy**

HO 1.B.5

The county shall allow for new residential development at the county Cathcart site that incorporates a mix of housing types and densities and is supported by public and private infrastructure, including transit, pedestrian

facilities and adequate parking. This development shall provide complementary housing types not generally available within the neighborhood.

Transportation

Policies 2.B.5

Preference shall be given by the county to transit-supportive development forms when selecting development partners and creating design standards and guidelines for the county Cathcart site. Development that reduces the demand for single-occupant vehicles and stimulates increased transit service to benefit the surrounding community will be strongly encouraged.

...

4.A.4 A system of paths and walkways shall be developed within the county Cathcart site to provide safe, efficient and attractive pedestrian connections between all uses on the site and the surrounding neighborhoods.

4.A.5 Access to new development at the county Cathcart site shall rely on an internal road and trail network, intersecting Cathcart Way at signalized intersections.

4.A.6 The county will work with transit providers to ensure that: 1) local and regional transit service is provided to the Cathcart site and the surrounding neighborhood; and 2) that transit facilities at Cathcart are located to support the site's development and enhance the efficient operation of the overall transit system.

Capital Facilities

Policy 1.B.4

The county shall actively pursue public/private partnerships for investment in the infrastructure needed to serve the Cathcart site, in part, through negotiation of lease, purchase and/or development agreements with development partners. County infrastructure investments at Cathcart will be reflected in future county capital improvement programs and capital budgets.

Natural Environment

Policies 10.B.10

Incorporate principles of sustainability and "green building" design - as set forth in "Leadership in Energy and Environmental Design" (LEED) certification - for development of the county Cathcart site. Ensure that this development will serve as a model for "green" building and sustainable neighborhood development in Snohomish County.

10.B.11 Incorporate energy-conserving and climate-friendly construction and development techniques within all development activity at the county Cathcart site.

Other Objectives and Policies cited in the Evaluation of Options

Objective LU 1.A Establish UGAs with sufficient capacity to accommodate the majority of

the county's projected population and employment growth over the next 20 years.

LU Policies 1.A.1 UGAs shall contain sufficient land capacity for a variety of land uses and densities, including green belts and open space, in suitable locations to accommodate at least ninety percent of the county's forecasted population growth after 2008. The total additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans shall not exceed the total 20-year forecasted UGA population growth by more than 15 percent. A portion of the 20-year forecast UGA population may be reserved for allocation to Transfer of Development Rights (TDR) receiving areas. Following the initial establishment of the UGAs in the General Policy Plan, subsequent recalculation of the percent by which additional population capacity exceeds the 20-year forecasted population growth shall occur at the time of the mandatory 10-year comprehensive review and updating of UGAs.

...

1.A.4 UGAs shall have existing or planned infrastructure capacity to adequately support urban growth over the 20-year period.

...

1.A.10 Expansion of the boundary of an individual UGA to include additional residential, commercial and industrial land capacity shall not be permitted unless it complies with the Growth Management Act, is consistent with the Countywide Planning Policies and complies with the criteria established in Countywide Planning Policy DP-2.

1.A.11 Land use and capital facilities required for growth within the UGA shall be evaluated consistent with the schedule established in Countywide Planning Policy GF-7 for the "buildable lands" review and evaluation program to determine whether or not modifications to land use or facilities are required to more adequately meet the projected needs of the UGA.

Objective LU 1.B Designate rural urban transition areas outside of and adjacent to UGAs to reserve a potential supply of land for residential and employment land uses for the next plan cycle.

LU Policies 1.B.1 The designation of rural urban transition areas is an overlay that may be applied to rural lands adjacent to UGAs as a result of the review of UGAs at least every ten years, as required by RCW 36.70A.130(3), in order to allow for possible future expansion of employment and residential land uses.

1.B.2 Rural urban transition area boundaries shall not include designated farm or forest lands.

...

1.C.5 The county may consider the expansion of UGA boundaries as part of a 10-Year Update to the Comprehensive Plan or as part of a growth target and plan reconciliation process that follows a 10-Year Update, while deferring implementing zoning in situations where urban infrastructure or special regulatory controls are needed and anticipated but are not in place to serve the population and employment allocated to the UGA. Where such UGA expansions with deferred implementing zoning are approved, no rezoning of properties within the expansion area may occur until: (1) necessary capital facilities plan updates have been completed and adopted by the utility provider; or (2) the necessary development regulations have been adopted.

...

2.A.6 Rezones and subdivisions in areas designated Other Land Uses shall only be allowed when a detailed UGA plan and, if required by the General Policy Plan, a master plan has been adopted for the area.

...

...

5.B.6 The county shall develop an action program for the county's Cathcart site to guide the development of a mix of public and private uses. Consideration will be given to the following objectives:

- provide a model for environmentally-sensitive development practices in Snohomish County;
- create a mix of uses that complements and strengthens the predominantly single-family residential neighborhood that surrounds the site;
- create a model "urban village," following the policy direction of GPP Objective LU 3.C by providing a neighborhood focal point with a mix of community services, retail opportunities, and expanded residential choices;
- provide opportunities for local employment that can help reduce commuter traffic in the local area;
- through partnerships with local transit agencies, develop new transit facilities and enhanced transit services for the area; and
- protect natural areas of the site to preserve wildlife habitat and to enhance open space opportunities for local residents;
- assess the need for a year-round farmers market and ball fields for kids (either public or private) during development planning, and provide opportunities to address identified unmet needs; and
- undertake an affordable housing demonstration project.

The county shall keep area residents and the general public informed of progress made in implementing the action program. In creating this program the county will address on-site and off-site circulation for all forms of motorized and non-motorized travel modes, land use, public

services and utilities, design and development standards, and other factors related to the development of the site.

- 5.B.6a The county shall assess the potential impacts of the planned development of the Cathcart site on surrounding properties as part of the environmental review process for the site. In particular, the properties to the northeast of the Cathcart site currently designated “Other” on the Future Land Use map will be included in this assessment, and alternative land use designations for those properties will be explored and evaluated. Issues to be evaluated include access and circulation, utilities, future land use, and environmental protection. In planning the access and circulation for the county Cathcart site, the county shall make no decisions which preclude the future development of these properties. Additional changes to the Transportation Element, Capital Improvement Program, and other elements of the Comprehensive Plan may result from this assessment.

GOAL LU 6

Protect and enhance the character, quality, and identity of rural areas.

Objective LU 6.E

Within rural residential areas, recognize existing businesses that are an integral part of the rural character and provide for small-scale, commercial developments that support the immediate rural population with necessary goods and services.

LU Policies 6.E.1

Within the rural residential designations of the Future Land Use Map, limited commercial uses shall be permitted within a Rural Business zone that provide opportunities for retail sales and services to the surrounding rural population.

- 6.E.2 The county shall develop Rural Business zoning and development standards that facilitate small-scale retail and service uses at appropriate locations within rural residential areas and minimize impacts to residential areas, resource lands, and critical areas.
- 6.E.3 In order to maintain the character of surrounding rural residential areas, the Rural Business development standards shall restrict the building size, height, and setback; the size, location, and type of uses; and the areas of impervious surfaces.
- 6.E.4 Rural Business development shall be limited to development that can be supported by services typically delivered at rural levels of service. These services may include domestic water, septic systems, and transportation facilities.
- 6.E.5 Existing small-scale commercial uses within rural residential zones may be zoned Rural Business whether or not they meet the locational criteria listed in Policy LU 6.B.7 only if they are uses allowed within the Rural Business zone. If existing uses do not meet the locational criteria, no

future expansion of the zone shall be allowed. This policy is not intended to preclude legal non-conforming uses from expanding consistent with Snohomish County Code provisions.

6.E.6 The county shall rezone existing commercial zones within rural areas and outside the Rural Commercial and Rural Freeway Service designations to the new Rural Business zone.

6.E.7 New Rural Business zones may only be approved in Rural Residential plan designations if they meet the following locational criteria:

- (a) A minimum of six hundred residential dwelling units should be located within a two and one-half mile radius of the proposed site.
- (b) The site is located along a county road or state highway with at least one hundred feet of street frontage or at an intersection of two public roads.
- (c) No new areas designated or zoned for commercial uses should be located closer than two and one-half miles in the rural area.
- (d) The total area zoned for Rural Business at any given location should not include more than five acres of net usable area. Net usable area should be the total site area less critical areas and their required buffers, roads, detention/retention areas, and biofiltration swales. Parcels within a Rural Business location should have common boundaries unless separated by public rights-of-way.
- (e) The size and configuration of the area to be zoned should be capable of accommodating setbacks, buffers, critical area protection, and other site planning and design techniques that permit small-scale, rural commercial development characteristics.

6.E.8 Sites within a Rural Business zone should be developed according to development regulations which incorporate the following criteria:

- (a) Existing native vegetation should be retained within required buffers. Screening of parking areas, outdoor storage and mechanical equipment should be provided.
- (b) Site disruption such as excessive grading, filling, or clearing of vegetation should be minimized through landscaping and buffer requirements.
- (c) Total permitted impervious surfaces of buildings, parking and other support areas such as storage, trash containers, etc., should not exceed fifty percent of the net usable site area.

- (d) Storm water detention facilities, such as ponds and grassy swales, should be designed and landscaped to integrate them into the overall site design and the landscaped buffers on the site.
- (e) All structures should be set back fifty feet from residentially zoned properties. Structures should be set back one hundred feet from designated agricultural and forest lands.
- (f) Sites should retain all existing trees in all required buffers along side and rear property lines. Sites should retain all existing evergreen trees in all required buffers along property frontage excluding areas for access drives and sign locations, unless tree removal is required to meet Department of Public Works Engineering Design and Development Standards or because of public health and safety concerns.
- (g) Billboards should be prohibited within the Rural Business zone. Signage requirements should be similar to the signage provisions of the Neighborhood Business zone.
- (h) Adequate water supplies should be demonstrated for commercial use and fire protection including fire flow.
- (i) Refuse collection, fuel loading and storage areas, and large truck parking areas should be located at least one hundred feet from residential areas and screened by fence or landscaping.

Objective LU 6.G

Provide for small-scale industrial uses in the rural areas of the county that are primarily dependent on the natural resources derived from the rural and resource areas.

LU Policies LU 6.G.1

Within rural lands outside of urban growth areas (UGAs), permit limited rural industrial land uses in areas previously designated or zoned for rural industrial uses and permit limited rural industrial uses in areas which have not been previously designated or zoned for rural industrial uses but contain uses or existing structures previously devoted to rural industry. Provide opportunities for small-scale industrial development that relates to other rural uses and natural resource production, processing and distribution of goods.

LU 6.G.2

Recognize the existing rural industrial designations and zones in the county that contribute to the economic diversity of the unincorporated areas of the county and provide employment opportunities to nearby rural populations.

LU 6.G.3

Existing industrial zones outside UGAs shall be rezoned to the Rural Industrial zone regardless of size.

- LU 6.G.4 Rural industrial areas should be developed in a manner which supports the rural character of the county and protects sensitive natural features of the environment. The scale and character of rural industrial development shall be smaller and less intense than urban industrial development.
- LU 6.G.5 Rural Industrial development shall be limited to development that can be supported by services typically delivered at rural levels of service. These services may include water, septic systems, and transportation facilities.
- LU 6.G.6 Expansions of Rural Industrial designations on the Future Land Use map may be approved only if they meet the following locational criteria:
- (a) Site conditions such as topography, soils, existing vegetation, critical areas, and capacity for water, fire protection and septic systems shall be adequate to support intensive resource-based industrial production without significant adverse environmental impacts.
 - (b) Designation size and configuration shall allow for setbacks, buffers, and other site planning and design techniques that permit small-scale, rural commercial development characteristics.
 - (c) Total land area designated for Rural Industrial at any given location shall not include more than twenty net usable acres. Net usable area shall be the total site area less critical areas and their required buffers, roads, detention/retention areas, and biofiltration swales.
 - (d) Rural industrial development shall not require the construction of long access roads or other transportation improvements such as bridges and roads.
- LU 6.G.7 Sites within a Rural Industrial designation shall be developed according to development regulations which incorporate the following criteria:
- (a) Existing native vegetation should be retained within required buffers. Screening of parking areas, outdoor storage and mechanical equipment shall be provided.
 - (b) Site disruption such as excessive grading, filling, or clearing of vegetation shall be minimized through landscaping and buffer requirements.
 - (c) Total permitted impervious surfaces of buildings, parking and other support areas such as storage, trash containers, etc., shall not exceed sixty percent of the net usable site area.
 - (d) Storm water detention facilities such as ponds and grassy swales shall be designed and landscaped to integrate them into the overall site design and the landscape buffers on site.
 - (e) All structures shall be set back one hundred feet from rural

residential zoned properties, designated farmland, and designated forest land.

- (f) Type III landscaping (as defined by the county's landscaping code), which may include native vegetation with an average width of twenty-five feet but not less than ten feet shall be required along all frontage and access roads abutting the property and between other Rural Freeway Service or Rural Business zoned properties. Type II landscaping (as defined by the county's landscaping code), which may include native vegetation with a width of one hundred feet shall be required along property lines abutting rural residential areas.
- (g) Sites shall retain all existing trees of three inch caliper and larger in all required buffers along side and rear property lines. Sites shall retain all existing evergreen trees of three inch caliper and larger in all required buffers along property frontage excluding areas for access drives and sign locations unless tree removal is required to meet Department of Public Works Engineering Design and Development Standards or because of public health and safety concerns.
- (h) Billboards shall be prohibited within the Rural Industrial zone. Signage requirements shall be similar to the signage provisions of the Neighborhood Business zone.
- (i) Adequate water supplies shall be demonstrated for commercial use and fire protection including fire flow.
- (j) Refuse collection, fuel loading and storage areas, and large truck parking areas shall be located at least one hundred feet from residential areas and screened by fence or landscaping.
- (k) Disruption to adjacent rural residential areas by noise, dust, odors, operating hours, vehicular movement and traffic, or adverse visual alteration of the natural landscape by industrial activities shall be minimized.

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CPP POLICIES

- DP-1** The County shall maintain Urban Growth Areas (UGAs), as shown on the map in Appendix A, that:
- a. When aggregated at the time of 10-year updates, shall include additional capacity to accommodate at least 100%, but no more than 115%, of the County's adopted 20-year urban allocated population growth projection;
 - b. Include all cities in Snohomish County;

- c. Can be supported by an urban level of service consistent with capital facilities plans for public facilities and utilities;
- d. Are based on the best available data and plans regarding future urban growth including new development, redevelopment, and infill;
- e. Have identifiable physical boundaries such as natural features, roads, or special purpose district boundaries when feasible;
- f. Do not include designated agricultural or forest land unless the city or County has enacted a program authorizing transfer or purchase of development rights;
- g. Have been evaluated for the presence of critical areas;
- h. Where possible, include designated greenbelts or open space within their boundaries and on the periphery of the UGA to provide separation from adjacent urban areas, rural areas, and resource lands;
- i. Should consider the vision of each jurisdiction regarding the future of their community during the next 20 years;
- j. Are large enough to ensure an adequate supply of land for an appropriate range of urban land uses to accommodate the planned growth; and
- k. Support pedestrian, bicycle and transit compatible design.

DP-2

An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

- a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;
- b. The expansion otherwise complies with the Growth Management Act;
- c. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and
- d. One of the following conditions is met:
 - 1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.
 - 2. The expansion is a result of the review of UGAs at least every ten years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).
 - 3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:
 - (a) Population growth in the UGA (city plus unincorporated UGA)

- since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional population capacity estimated for the UGA at the start of the planning period. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and
- (b) An updated residential land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent residential capacity estimates and assumptions, and any new information presented at public hearings that confirms or revises the conclusions is considered.
4. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:
 - (a) Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and
 - (b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.
 5. The expansion will correct a demonstrated mapping error.¹⁰
 6. Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.
 7. In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. –Large developable industrial sites may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.
 8. The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion

area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.

9. The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.
10. The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is incurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.
11. The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.

DP-23 The County shall establish low intensities of development and uses in areas outside of Urban Growth Areas to preserve resource lands and protect rural areas from sprawling development.

DP-28 The County and cities should meet the demand for new commercial activity and services as well as new industrial job base in Urban Growth Areas (UGAs) with limited exceptions as identified below. Outside of UGAs, the County should limit commercial and industrial development consistent with GMA and the Regional Growth Strategy, by allowing for:

- a. Resource-based and resource supportive commercial and industrial uses;
- b. Limited convenience commercial development serving the daily needs of rural area residents;
- c. Home-based businesses;
- d. Low traffic and employment enterprises that benefit from a non-urban location due to large lots, vegetative buffers, etc; and,
- e. Maintenance of the historical locations, scale, and character of

- existing commercial services and industrial activities.
- f. Resource-dependent tourism and recreation oriented uses provided they do not adversely impact adjoining rural and resource uses.

APPENDIX B
(Map of Cathcart “L” and Surroundings)

